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EXAMINER

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ESM1/0606

ART UNIT

PAPER NUMBER

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2309

DATE MAILED:

06/06/94

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 This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on MAR 14, 94 ☒ This action is made fi

 A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-9 |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-18 and 23-26 are pending in the applicat

Of the above, claims _____ are withdrawn from considerati

2. ☒ Claims 19-22 have been cancelled.3. ☐ Claims _____ are allowed.4. ☒ Claims 1-5, 12-16 and 23-26 are rejected.5. ☒ Claims 6-11 and 17-18 are objected to.6. ☐ Claims _____ are subject to restriction or election requirement.7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.8. ☐ Formal drawings are required in response to this Office action.9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.14. ☐ Other

EXAMINER'S ACTION

Art Unit 2308

1. The examiner acknowledges the cancellation of claims 19-22 and addition of claims 23-26 by the amendment filed on March 14, 1994.

2. Claims 1-18 and 23-26 are presented for examination.

3. Claims 23-26 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner notes the following ambiguities.

As per claim 23, the phrase "[in] a processor that may enter a certain state from which it may only escape via an interrupt" (lines 1-2) is vague and indefinite. Applicant should positively set forth "processor states" first to provide a proper antecedent basis for any subsequent reference to any one of the "processor states".

As per claims 24-26, these claims incorporate the deficiencies of the parent claim.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 and 12-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent 4,344,133 issued to Bruce, Jr.

et al.

As per claim 1, Bruce, Jr. et al. teach the claimed:

"means for indicating a software condition; means for indicating a hardware condition": Bruce's means for indicating a software condition; means for indicating a hardware condition (see col. 1, lines 49-52); and

"means for generating said interrupt in response to the assertion of said interrupt request line ..." (lines 6-9):
Bruce's means for generating the interrupt in response to the assertion of the interrupt request line ... (see col. 8, lines 46-54).

As per claim 2, Bruce teaches the "means for generating said interrupt" in col. 7, lines 63-65.

As per claim 3, Bruce teaches the "means for enabling" and "means for asserting" in col. 8, lines 51-56.

As per claim 4, Bruce teaches the "programmable register that outputs a software enable signal" in col. 1, lines 62-64.

As per claim 5, Bruce teaches the "means for indicating said hardware condition comprises at least one hardware circuit, and wherein each of said at least one hardware circuit outputs a hardware enable signal" in col. 2, lines 52-53.

As per claims 12-16, these claims recite methods which parallel apparatus claims 1-5. In teaching the construction and use of the device, the reference of Bruce, Jr. et al. inherently

teaches corresponding methods.

Applicant's arguments filed March 14, 1994 have been fully considered by the examiner but they are not deemed to be persuasive. Applicant argues that the instant invention is directed to "overriding a masked interrupt". However, the examiner cannot read limitations into the claim. Applicant must be arguing from the specification rather than the claims because claims 1-5 and 12-16 do not recite the above feature. The invention as claimed in claims 1-5 and 12-16 stands clearly rejected by Bruce, Jr. et al.

6. Claims 23-26 are rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent 5,249,284 issued to Kass et al.

As per claim 23, Kass et al. teach the claimed:

"a first subcircuit provides a first signal to enable conventional unmasking ...": Kass' first subcircuit provides a first signal to enable conventional unmasking ... (see Fig. 2A, output of element 50 and col. 4, lines 59-68);

"a second circuit that provides a second signal that indicates that said processor is in said certain state": Kass' second circuit that provides a second signal that indicates that said processor is in said certain state (see Fig. 2A, output of element 44 and col. 4, lines 59-68);

"a third subcircuit, responsive to said first signal and said second signal, and further responsive to an interrupt

request signal, for generating an interrupt request": Kass' third subcircuit, responsive to said first signal and said second signal, and further responsive to an interrupt request signal (see Kass' Fig. 2B, output Q/ of element 66), for generating an interrupt request (see Fig. 2A, output of element 62 and col. 4, lines 59-68).

As per claim 24, the claim is rejected for the same rationale as in claim 23 with the exception of "said certain state is an idle state". However, Kass teaches the feature in Fig. 3, element 76.

As per claim 25, the claim is rejected for the same rationale as in claim 23 with the exception of "said third subcircuit comprises an AND gate". However, Kass teaches the feature in Fig. 2A, element 48.

As per claim 26, the claim is rejected for the same rationale as in claim 23 with the exception of "said first and said second signal can assume various states ...". However, Kass teaches the feature in Figures 2A and 2B.

7. Claims 6-11 and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P.

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Art Unit 2308

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. The prior art submitted by applicant has been considered by the examiner and made of record in the file.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is (703) 305-9647.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Gopal C. Ray
GOPAL C. RAY
PATENT EXAMINER
GROUP 2300